

UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF NEW HAMPSHIRE

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JAMES W. MCCARTHY,

Plaintiff,

-against-

Civil Case No. 04-477-JD

CITIGROUP GLOBAL MARKETS, INC.,

Defendant.

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**MOTION TO REOPEN**

James W. McCarthy files this Motion to Reopen in order to file the accompanying Post-Remand Motion to Vacate an Arbitration Award, and for Further Remand, and supporting papers.

The accompanying Post-Remand Motion to Vacate arises out of a remand for further arbitration proceedings, ordered in this case, as set forth in the Court's Order, entered January 28, 2005. Because the Post-Remand Motion to Vacate arises out of and directly relates to the proceedings in this case, McCarthy respectfully requests that the Court reopen this case to consider the Post-Remand Motion to Vacate.

Dated: September 8, 2005

Respectfully submitted,

*/s/ Thomas J. Pappas for*  
W. Wright Danenbarger, Esq.  
Wiggin & Nourie, P.A.  
670 North Commercial Street; Suite 305  
P.O. Box 808  
Manchester, NH 03105-0808  
Tel. 603-669-2211  
Fax. 603-623-8442  
E-Mail: [wdanenbarger@wiggin-nourie.com](mailto:wdanenbarger@wiggin-nourie.com)

Of Counsel:

William A. Jacobson, Esq., *pro hac vice*  
Shanna L. Pitts, Esq., *pro hac vice*  
Law Offices of William A. Jacobson Inc.  
850 Turks Head Building  
Providence, RI 02903  
Tel. 401-490-7500  
Fax. 401-490-5680  
E-Mail: [waj@wjacobson.com](mailto:waj@wjacobson.com)

**CERTIFICATE OF SERVICE**

I hereby certify that Plaintiff's Motion to Reopen on the following persons on this date and in the manner specified herein:

Electronically Served:

John R. Skelton, Esquire  
Bingham McCutchen LLP  
150 Federal Street  
Boston, MA 02110

William A. Jacobson, Esquire  
Shanna L. Pitts, Esquire  
Law Offices of William A. Jacobson, Inc.  
850 Turks Head Building  
Providence, RI 02903

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*/s/ Thomas J. Pappas for*  
W. Wright Danenbarger